

# PRESS RELEASE

## Congressman John Conyers, Jr.

Fourteenth District, Michigan  
Ranking Member, Committee on the Judiciary  
Dean, Congressional Black Caucus

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### CONYERS OPPOSES CONFERENCE REPORT ON "PROTECT ACT"

Congressman John Conyers, Jr. (D-MI), Ranking Member of the House Judiciary Committee, issued the following statement regarding the Conference Report to Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today Act (PROTECT Act):

"I had hoped that we would have been able to come together to reach consensus on how best to deal with the difficult problem of child abduction in this country and to pass an amber alert bill. The recent rash of child abductions clearly indicate that additional steps need to be taken to protect our children from sexual predators.

Unfortunately, the conference was delayed and hung up by provisions which have nothing to do with Amber alert and which should have been dealt with separately. First and foremost is the highly controversial amendment offered by Rep. Tom Feeney, which would totally hamstring any remaining discretion federal judges have in making sentencing determinations. This provision was added on the floor two weeks ago without proper hearings or committee debate and clearly is not ready for prime time.

It is opposed by Chief Justice Rehnquist, by the Federal Judicial Conference, by the American Bar Association, by the Federal Bar Association, by the Leadership Conference on Civil Rights, by the NAACP and by countless law professors, prosecutors, and public defenders.

In a nutshell, the Feeney Amendment would make it next to impossible for federal judges to reduce sentences below the guidelines, even where mitigating factors such as military service, community involvement and youth are present. Guess who is going to be harmed disproportionately by this harsh approach to sentencing – minorities in general and African Americans in particular.

Consider the fact that a full 12% of African American men aged 20-34 are in prison – more than 8 times the comparable rate of white males in the same age group. According to the Bureau of Justice Statistics, nearly one out of every three black men will spend time in prison during their lifetime.

So when you toughen sentencing, as the Feeney amendment would do, you should know that you are busting up African American families and decimating our inner cities. You are also creating massive problems concerning reentry when these individuals leave the prison system in another 10 or 15 years. The very least we should do is to leave these critical life decisions in the reasonable discretion of the federal judge who is closest to the situation. To use the popular Amber alert measure to alter this long standing principle, and without proper hearings or consideration is to me shameful.

Now my friends on the other side of the aisle will claim not to worry, that they fixed the Feeney amendment which they will say is limited to sex offenses. But the truth is that the revised Feeney language would radically alter the sentencing regime for every single criminal case in the legal system. It does this by adding a whole host of new procedural requirements for a judge to show any form of mercy in all federal cases. The bill also adds new requirements on the Justice Department and the Sentencing Commission with regard to downward departures in all federal cases. At the end of the day, what we will have is something very close to the original purpose of the Feeney Amendment – mandatory minimums in all federal criminal cases.

There are other problems in the bill before us, including new death penalties, eliminating statutes of limitation, and criminalizing so-called "RAVE" parties. As a result of these provisions and the very broad based and dangerous Feeney amendment, I must reluctantly urge a NO vote on this short sighted measure."